



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Christian REITER et al.

Application No. 09/842,776
Confirmation No. 4137

Filed: April 27, 2001

For: NEW METHOD FOR
DETECTING ACID-RESISTANT
MICROORGANISMS IN THE
STOOL

Group Art Unit: 1645

Examiner: Albert M. NAVARRO

Atty. Docket No. 105032-991150
(formerly 41735)

Customer No.

35928

35928

PATENT TRADEMARK OFFICE

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Linda
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RESPONSE RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement mailed 19 March 2003, wherein the Examiner gave a one-month period for Response, attached hereto and provided herewith is a Petition for Extension of Time for one month, making the due date for Response 19 May 2003.

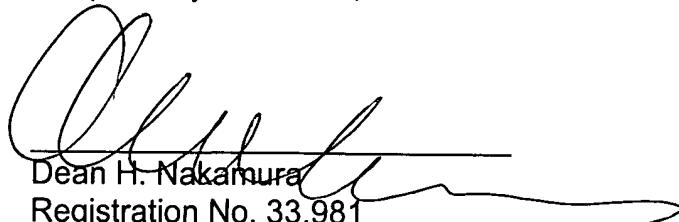
Applicant respectfully elects Group I, Claims 1-4, and 13-14, drawn to methods of detecting an acid resistant microorganism with monoclonal antibodies, classified in class 435, subclass 7.1.

Applicant: Christian REITER et al.
Application No. 09/842,776

CONCLUSION

Applicants submit that the claims pending are in condition for allowance. If any fees are found to be applicable, please charge any additional fees or make any credits to Deposit Account No. 07-1896.

Respectfully submitted,



Dean H. Nakamura
Registration No. 33,981
GRAY CARY WARE & FREIDENRICH LLP
1625 Massachusetts Avenue, N.W.
Suite 300
Washington, D.C. 20036-2247

Telephone: (202) 238-7725
Telefax: (202) 238-7701



FILING RECEIPT

PLEASE DATE STAMP AND RETURN YELLOW SHEET TO:

1645

Dean H. Nakamura
Gray Cary Ware & Freidenrich LLP
1625 Massachusetts Avenue, N.W.
Suite 300
Washington, D.C. 20036

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PATENT TRADEMARK OFFICE

PAPER(S) FILED ENTITLED:

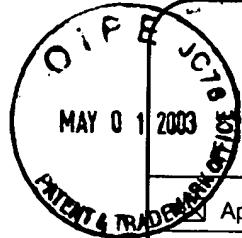
1. Response to Restriction Requirement
2. Notice of Change of Address & Attorney Docket Number
3. Petition for Extension of Time (One Month)
4. Fee Transmittal
5. Check No. 535513 in the amount of \$55.00

Gray Cary Ware & Freidenrich LLP
1625 Massachusetts Avenue, N.W.
Suite 300
Washington, D.C. 20036
Telephone: (202) 238-7731
Facsimile: (202) 238-7701

DOCKET NO.: 105032-991150 (formerly 41735)
ATTORNEY/SEC: DNakamura/pmakle

Date Filed: May 1, 2003

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 55

Complete if Known

| | |
|----------------------|--------------------------------|
| Application Number | 09/842,776 |
| Filing Date | April 27, 2001 |
| First Named Inventor | Christian REITER et al. |
| Examiner Name | Albert M. NAVARRO |
| Group / Art Unit | 1645 |
| Attorney Docket No. | 105032-991150 (formerly 41735) |

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2000

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Other None
Order

Deposit Account:

| | |
|------------------------|----------------------------------|
| Deposit Account Number | 07-1896 |
| Deposit Account Name | GRAY CARY WARE & FREIDENRICH LLP |

The Commissioner is authorized to: (check all that apply)
 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) under 1.16 or 1.17 during pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|----------|----------|----------|----------|------------------------|----------|
| 1001 | 750 | 2001 | 375 | Utility filing fee | |
| 1002 | 330 | 2002 | 165 | Design filing fee | |
| 1003 | 520 | 2003 | 260 | Plant filing fee | |
| 1004 | 750 | 2004 | 375 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |

SUBTOTAL (1)

(\$) 0

2. EXTRA CLAIM FEES

| Total Claims | - | Extra Claims | Fee from below | Fee Paid |
|--------------------|---|--------------|----------------|----------|
| Independent Claims | - | ** = 0 | X _____ | = 0 |
| Multiple Dependent | - | ** = 0 | X _____ | = 0 |

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description |
|----------|----------|----------|----------|--|
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 84 | 2201 | 42 | Independent claims in excess of 3 |
| 1203 | 280 | 2203 | 140 | Multiple dependent claim, if not paid |
| 1204 | 84 | 2204 | 42 | ** Reissue independent claims over original patent |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

(\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing request for ex parte reexam | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | 55 |
| 1252 | 410 | 2252 | 205 | Extension for reply within second month | |
| 1253 | 930 | 2253 | 465 | Extension for reply within third month | |
| 1254 | 1,450 | 2254 | 725 | Extension for reply within fourth month | |
| 1255 | 1,970 | 2255 | 985 | Extension for reply within fifth month | |
| 1401 | 320 | 2401 | 160 | Notice of Appeal | |
| 1402 | 320 | 2402 | 160 | Filing a brief in support of an appeal | |
| 1403 | 280 | 2403 | 140 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive – unavoidable | |
| 1453 | 1,300 | 2453 | 650 | Petition to revive – unintentional | |
| 1501 | 1,300 | 2501 | 650 | Utility issue fee (or reissue) | |
| 1502 | 470 | 2502 | 235 | Design issue fee | |
| 1503 | 630 | 2503 | 315 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17 (a) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 750 | 2809 | 375 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 750 | 2810 | 375 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 | 750 | 2801 | 375 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$) 55

| | | | | | |
|-------------------|-----------------|----------------------------------|--------|-----------|----------------|
| SUBMITTED BY | | Complete if applicable | | | |
| Name (Print/Type) | Dean H Nakamura | Registration No. Attorney/Agent) | 33,981 | Telephone | (202) 238-7725 |
| Signature | | | | Date | May 1, 2003 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.
 SEND TO: Commissioner for Patents, Washington, DC 20231.